

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Joseph M. Panigall**  
**Sheila A. Panigall**  
Debtor(s)

Bankruptcy Case No.: 18-24599-CMB  
Issued Per June 25, 2020 Proceeding  
Chapter: 13  
Docket No.: 94 – 83, 84  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated April 1, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

The claim of Peoples Natural Gas shall be paid per Order dated February 12, 2020 [Dkt. No. 80].

The secured claim of ONEMAIN (Claim No. 8) shall govern as to claim amount, to be paid at the modified plan interest in a monthly amount to be determined by Trustee to pay in full.

Certificate of Notice Page 2 of 7

The The following notice of post-petition mortgage fees, expenses and charges of Santander Bank (Claim No. 21) in amounts of \$650 and \$686 (in aggregate) will be paid under Plan after objection deadline has passed if no objection filed and sustained. To extent objection is filed and sustained amount will be added to the unsecured pot.

The secured claim of Santander Bank (Claim No. 21) shall govern, and then following all allow post-petition payment change notices filed of record.

The special classification of PHEAA in the plan is stricken. PHEAA shall be added to Part 5.1 of the Plan and paid pro rata with other unsecured creditors.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: June 30, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 5 of 7**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Joseph M. Panigall  
 Sheila A. Panigall  
 Debtors

Case No. 18-24599-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 3  
 Total Noticed: 67

Date Rcvd: Jun 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 02, 2020.

db/jdb  
 cr  
 +Joseph M. Panigall, Sheila A. Panigall, 518 Salisbury Drive, Greensburg, PA 15601-6039  
 +Santander Bank, N.A., c/o Thomas A. Capehart, 33 S. Seventh Street,  
 Allentown, PA 18101-2436  
 +AES/PHEAA, Po Box 61047, Harrisburg, PA 17106-1047  
 +Aes/pheaa, Attn: Bankruptcy Dept, Po Box 2461, Harrisburg, PA 17105-2461  
 +Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
 +Consumer Capital Advocates, 3221 NW 10th Terrace, Suite 502, Fort Lauderdale, FL 33309-5942  
 +First Premier Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145  
 +First Premier Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524  
 +First Source Advantage, LLC, PO Box 628, Buffalo, NY 14240-0628  
 +Hempfield Township Tax Collector, 938 Saint Clair Way, Greensburg, PA 15601-3550  
 +Latrobe Federal Credit Union, 1812 Ligonier Street, Latrobe, PA 15650-2917  
 +Ligonier Country Club, Rt 711 South, Country Club Road, Ligonier, PA 15658  
 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147  
 +Peoples Gas, PO Box 644760, Pittsburgh, PA 15264-4760  
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,  
 Pittsburgh, PA 15233-1828  
 +Santander Bank, 450 Penn St, Reading, PA 19602-1011  
 +Santander Bank, Mail Code: MAL-MB3-01-21, 2 Morrissey Boulevard, Boston, MA 02125-3312  
 +Santander Bank, N.A., 601 Penn Street, 10-6438-FB7, Reading, PA 19601-3563  
 +Wilmington Savings Fund Society d/b/a/ Christiana, C/O Select Portfolio Servicing,  
 P.O Box 6525, Salt Lake City, UT 84165-0250

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14956144 +E-mail/Text: ally@ebn.phinsolutions.com Jul 01 2020 06:07:06 Ally Financial,  
 Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901  
 14961393 E-mail/Text: ally@ebn.phinsolutions.com Jul 01 2020 06:07:06 Ally Financial,  
 PO Box 130424, Roseville MN 55113-0004  
 14956143 +E-mail/Text: ally@ebn.phinsolutions.com Jul 01 2020 06:07:06 Ally Financial,  
 200 Renaissance Ctr, Detroit, MI 48243-1300  
 14956145 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:21:24 Capital One,  
 15000 Capital One Dr, Richmond, VA 23238  
 14956146 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:20:32 Capital One,  
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285  
 14988848 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:22:29  
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,  
 Charlotte, NC 28272-1083  
 14969568 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:22:29  
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 14956147 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:22:29 Capital One Na,  
 Po Box 26625, Richmond, VA 23261-6625  
 14956148 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:20:32 Capital One Na,  
 Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285  
 14956150 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 01 2020 06:07:47  
 Comenity Bank/Victoria Secret, Attn: Bankruptcy Dept, Po Box 182125,  
 Columbus, OH 43218-2125  
 14956149 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 01 2020 06:07:47  
 Comenity Bank/Victoria Secret, Po Box 182789, Columbus, OH 43218-2789  
 14956152 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 01 2020 06:07:47 Comenity Capital Bank/HSN,  
 Attn: Bankruptcy Dept, Po Box 18215, Columbus, OH 43218  
 14956151 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 01 2020 06:07:47 Comenity Capital Bank/HSN,  
 Po Box 182120, Columbus, OH 43218-2120  
 14956153 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 01 2020 06:07:48 Comenitybank/New York,  
 Po Box 182789, Columbus, OH 43218-2789  
 14956154 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 01 2020 06:07:47 Comenitybank/New York,  
 Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125  
 14956157 +E-mail/PDF: creditonebknofications@resurgent.com Jul 01 2020 06:21:30 Credit One Bank,  
 Attn: Bankruptcy, Po Box 98873, Las Vegas, NV 89193-8873  
 14956156 +E-mail/PDF: creditonebknofications@resurgent.com Jul 01 2020 06:20:35 Credit One Bank,  
 Po Box 98872, Las Vegas, NV 89193-8872  
 14956161 E-mail/Text: bankruptcynotice@fcbanking.com Jul 01 2020 06:07:16 First Commonwealth Bank,  
 Attn: Bankruptcy, Po Box 400, Indiana, PA 15701  
 14956159 +E-mail/Text: bnc-bluestem@quantum3group.com Jul 01 2020 06:09:18 Fingerhut,  
 Attn: Bankruptcy, Po Box 1250, Saint Cloud, MN 56395-1250  
 14956158 +E-mail/Text: bnc-bluestem@quantum3group.com Jul 01 2020 06:09:18 Fingerhut,  
 6250 Ridgewood Road, Saint Cloud, MN 56303-0820  
 14956160 +E-mail/Text: bankruptcynotice@fcbanking.com Jul 01 2020 06:07:16 First Commonwealth Bank,  
 601 Philadelphia St, Indiana, PA 15701-3952  
 14968549 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Jul 01 2020 06:08:57 Jefferson Capital Systems LLC,  
 Po Box 7999, Saint Cloud Mn 56302-9617  
 14956168 +E-mail/Text: bncnotices@becket-lee.com Jul 01 2020 06:07:20 Kohls/Capital One,  
 Kohls Credit, Po Box 3120, Milwaukee, WI 53201-3120

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 3  
Total Noticed: 67

Date Rcvd: Jun 30, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14956167 +E-mail/Text: bncnotices@becket-lee.com Jul 01 2020 06:07:20 Kohls/Capital One,  
N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-5660  
15160134 E-mail/PDF: resurgentbknofications@resurgent.com Jul 01 2020 06:22:52 LVNV Funding LLC,  
PO Box 10587, Greenville, SC 29603-0587  
14966102 E-mail/PDF: resurgentbknofications@resurgent.com Jul 01 2020 06:21:45 LVNV Funding, LLC,  
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
14956173 +E-mail/PDF: resurgentbknofications@resurgent.com Jul 01 2020 06:21:46  
LVNV Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497,  
Greenville, SC 29603-0497  
14956171 +E-mail/PDF: resurgentbknofications@resurgent.com Jul 01 2020 06:20:47  
LVNV Funding/Resurgent Capital, Po Box 1269, Greenville, SC 29602-1269  
14972583 E-mail/PDF: cbp@onemainfinancial.com Jul 01 2020 06:22:13 ONEMAIN, PO BOX 3251,  
EVANSVILLE, IN, 47731-3251  
14956176 +E-mail/PDF: cbp@onemainfinancial.com Jul 01 2020 06:21:10 OneMain Financial,  
Attn: Bankruptcy, 601 Nw 2nd Street, Evansville, IN 47708-1013  
14956175 +E-mail/PDF: cbp@onemainfinancial.com Jul 01 2020 06:22:16 OneMain Financial, Po Box 1010,  
Evansville, IN 47706-1010  
14956179 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 01 2020 06:21:37  
Portfolio Recovery, 120 Corporate Blvd Ste 1, Norfolk, VA 23502  
14985934 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 01 2020 06:22:45  
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
14957422 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 01 2020 06:21:37  
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
14956177 E-mail/PDF: gecsed@recoverycorp.com Jul 01 2020 06:21:14 Paypal Credit, PO Box 71202,  
Charlotte, NC 28272-1202  
14956180 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 01 2020 06:22:42  
Portfolio Recovery, Po Box 41021, Norfolk, VA 23541-1021  
14967519 +E-mail/Text: JCAP\_BNC\_Notices@jcap.com Jul 01 2020 06:08:58 Premier Bankcard, Llc,  
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999  
14985616 E-mail/Text: bnc-quantum@quantum3group.com Jul 01 2020 06:08:03  
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
14985615 E-mail/Text: bnc-quantum@quantum3group.com Jul 01 2020 06:08:03  
Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,  
Kirkland, WA 98083-0788  
14990591 +E-mail/Text: bncmail@w-legal.com Jul 01 2020 06:08:46 SYNCHRONY BANK,  
c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132  
14956183 +E-mail/Text: jennifer.chacon@spservicing.com Jul 01 2020 06:09:48  
Select Portfolio Servicing, Inc, Po Box 65250, Salt Lake City, UT 84165-0250  
14956184 +E-mail/Text: jennifer.chacon@spservicing.com Jul 01 2020 06:09:48  
Select Portfolio Servicing, Inc, Attn: Bankruptcy, Po Box 65250,  
Salt Lake City, UT 84165-0250  
14956186 +E-mail/PDF: gecsed@recoverycorp.com Jul 01 2020 06:22:42 Synchrony Bank/ JC Penneys,  
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060  
14956185 +E-mail/PDF: gecsed@recoverycorp.com Jul 01 2020 06:21:36 Synchrony Bank/ JC Penneys,  
Po Box 965007, Orlando, FL 32896-5007  
14983968 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Jul 01 2020 06:33:58 Verizon,  
by American InfoSource as agent, PO Box 248838, Oklahoma City, OK 73124-8838  
14956187 E-mail/Text: bankruptcy@firstenergycorp.com Jul 01 2020 06:08:37 West Penn Power,  
PO Box 3687, Akron, OH 44309-3687  
14986301 +E-mail/Text: bankruptcy@firstenergycorp.com Jul 01 2020 06:08:37 West Penn Power,  
5001 NASA Blvd, Fairmont, WV 26554-8248  
14989768 E-mail/Text: jennifer.chacon@spservicing.com Jul 01 2020 06:09:48  
Wilminington Savings Fund, et. al, C/O Select Portfolio Servicing, P.O. Box 65250,  
Salt Lake City, UT 84165-0250

TOTAL: 48

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr OneMain Financial  
cr Wilmington Savings Fund Society, FSB, d/b/a Christ  
cr\* +LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
cr\* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
Pittsburgh, PA 15233-1828  
14956166\* +Hempfield Township Tax Collector, 938 Saint Clair Way, Greensburg, PA 15601-3550  
14956174\* +LVNV Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497, Greenville, SC 29603-0497  
14956172\* +LVNV Funding/Resurgent Capital, Po Box 1269, Greenville, SC 29602-1269

TOTALS: 2, \* 6, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: jhel  
Form ID: 149

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Total Noticed: 67

Date Rcvd: Jun 30, 2020

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 02, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 30, 2020 at the address(es) listed below:

Abagale E. Steidl on behalf of Debtor Joseph M. Panigall asteidl@steidl-steinberg.com,  
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not  
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com  
Abagale E. Steidl on behalf of Joint Debtor Sheila A. Panigall asteidl@steidl-steinberg.com,  
julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;r53037@not  
ify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com  
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana  
Trust, as indenture trustee, for the CSMC 2017-1 Trust, Mortgage-Backed Notes, Series 2017-1  
bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Peter E. Meltzer on behalf of Creditor OneMain Financial bankruptcy@wglaw.com,  
ibernatski@wglaw.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com  
Thomas A. Capehart on behalf of Creditor Santander Bank, N.A. jkacsur@grossmcginley.com,  
ehutchinson@grossmcginley.com

TOTAL: 8